

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

EDWARD THOMAS KENNEDY,
Plaintiff-Appellant

v.

**BRADLEY J. GETZ, RICHARD H. D'AMBROSIO,
ROBERT EVANCHICK, PENNSYLVANIA STATE
POLICE, MALACHY EDWARD MANNION,
WILLIAM I. ARBUCKLE, PENNSYLVANIA BAR
ASSOCIATION, THE UNIFIED JUDICIAL SYSTEM
OF PENNSYLVANIA, THOMAS G. SAYLOR, PHILIP
CARL PETRUS, RICHARD CHARLES CLINK,
THOMAS B. DARR, ADMINISTRATIVE OFFICE OF
PENNSYLVANIA COURTS,**
Defendants-Appellees

2018-2368

Appeal from the United States District Court for the
Eastern District of Pennsylvania in No. 5:18-cv-03532-
JLS, Judge Jeffrey L. Schmehl.

PER CURIAM.

O R D E R

The court considers its jurisdiction over this appeal.

Edward Thomas Kennedy appeals from an order of the United States District Court for the Eastern District of Pennsylvania dismissing his complaint seeking relief in connection with his arrests in June and August 2017. Mr. Kennedy asserts that this “is a federal question matter,” alleging causes of action for “trespass,” “trespass on the case,” “trespass on the case—vicarious liability,” “failure to provide a republican form of government,” and “intentional infliction of emotional distress.” The district court dismissed Mr. Kennedy’s claims as malicious and for failing to state a claim for relief under 28 U.S.C. § 1915(e)(2)(B)(i)–(ii). Mr. Kennedy filed a notice of appeal seeking appellate review in this court. His notice of appeal was also transmitted to the United States Court of Appeals for the Third Circuit and docketed there as No. 18-2949.

This court issued a show cause order on September 28, 2018, directing the parties to respond within 21 days as to whether this appeal should be dismissed or transferred to the Third Circuit. The United States responded on behalf of the defendants, a group including police officers, judges, and court administrators in Pennsylvania, that this appeal should be dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i) or for lack of jurisdiction. The court received a nonresponsive submission from Mr. Kennedy on October 12, 2018.

This court is a court of limited jurisdiction and does not have jurisdiction over this appeal. 28 U.S.C. § 1295. Because this appeal is already docketed at the Third Circuit, transfer of this case pursuant to 28 U.S.C. § 1631 appears unnecessary.

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Accordingly,

IT IS ORDERED THAT:

- (1) The stay of the briefing schedule is lifted.
- (2) The appeal is dismissed.
- (3) Each side shall bear its own costs.

FOR THE COURT

Nov. 5, 2018
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

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